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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN THE MATTER OF:

DOCKET NO: MM4424

HOSONO

FILED: April 16, 2001

EXAMINER: Hindi, Nabil Z.

SERIAL NO. 09/836,135

Art Unit: 2655

FOR: IMPROVED DISK DRIVE UNIT AND DISK DRIVE METHOD

RESPONSE

RECEIVED

MAY 25 2004

Technology Center 2600

MAIL STOP: NON-FEE AMENDMENTS

Commissioner For Patents

P.O.Box 1450

Alexandria, VA 22313-1450

SIR:

This is in response to the outstanding Office Communication dated February 18, 2004. Please deduct any insufficient fees to deposit Account No. 01-1944.

Please amend the application as follows.

REMARKS

Attached hereto is an English translation of the foreign priority document Japanese Patent Application No. 2000-119438 (April 20, 2000). This perfects applicants claim for foreign priority based upon the filing of the Japanese patent application number 2000-119438, having an effective filing date of April 20, 2000.

Applicant has amended the title of the application to read "IMPROVED DISK DVD-ROM DRIVE UNIT WITH A PLAYBACK SPEED CONTROL AND DISK DRIVE METHOD". Applicant considers this revised title to be descriptive and consistent with the claims.

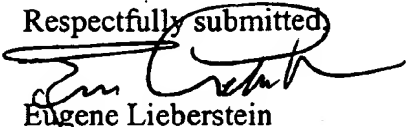
The rejection of claims 1-6 under 35 USC 103(a) as being unpatentable over JP 11-306661 in view of Tosaki et al (USP 6,606,290) is respectfully traversed.

The filing date of the cited reference Tosaki et al (USP 6,606,290) has a filing date of May 19, 2000, which is subsequent to the filing date of the Japanese priority document and accordingly this reference is improper and should not have been cited as prior art under 35 USC 103(a). Without the teaching of the secondary reference Tosaki, the rejection of claims 1-6 is moot and should be withdrawn.

Applicants enclose herewith an Information Disclosure Statement Form PTO-1449 citing a copy of a Japanese Office Action which issued in the basic Japanese patent application No. 2000-119438, and a copy of the two references cited in the office action, along with English Abstracts thereof. It is respectfully requested that this IDS be considered and entered in the file of the application. Please deduct any fee for this Information Disclosure Statement to deposit Account No. 01-1944.

Reconsideration and allowance of claims 1-6 is respectfully solicited.

Respectfully submitted,


Eugene Lieberstein
Reg. No. 24,645

MAILING CERTIFICATE

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed: Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313 on May 18, 2004.

Dated: May 18, 2004

Signed: 